

## Spouse's Consent to Survivor Election

**Instructions:** If you are married and you do not want a reduced annuity to provide a current spouse survivor annuity, or if you are married and you elect a reduced annuity to provide a partial current spouse survivor annuity, complete Part 1. Have your spouse complete Part 2. Part 2 must be completed in the presence of a Notary Public or other person authorized to administer oaths. The Notary Public must complete Part 3.

### Part 1 - To Be Completed by Retiring Employee

Name ( <i>last, first, middle</i> )	Date of birth ( <i>month, day, year</i> )	Social Security Number
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I have elected: (*Mark the one box which describes the election you have made with regard to your current spouse.*)

- ☐ a. No regular survivor annuity for my current spouse, but I am electing an insurable interest annuity for my current spouse. (I have completed Section D, item 4, on my Standard Form 3107 naming my current spouse.)
- ☐ b. No regular or insurable interest survivor annuity for my current spouse.
- ☐ c. A partial survivor annuity (25%) for my current spouse.

### Part 2 - To Be Completed by Current Spouse of Retiring Employee

I freely consent to the survivor annuity election described in Part 1. I understand that my consent is final (not revocable).

Name ( <i>type or print</i> )	Signature ( <i>do not print</i> )	Date
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### Part 3 - To Be Completed by a Notary Public or Other Person Authorized to Administer Oaths

I certify that the person named in Part 2 presented identification (or was known to me), gave consent, signed or marked this form, and acknowledged that the consent was freely given in my presence on this

the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, at \_\_\_\_\_  
(Month) (Year) (City and state)

(SEAL)	Signature
	Expiration date of commission, if notary public

**General Information:** The law requires that a retiring, married employee must provide a survivor annuity for a current spouse, UNLESS the current spouse consents to an election not to provide the maximum survivor benefit.

A court order which requires a retiring employee to provide a survivor annuity for a former spouse is not an election and spousal consent is not required. In other words, such a court order does not require a current spouse to waive the right to a survivor annuity for the current spouse even though the Office of Personnel Management (OPM) must honor the terms of the

court order before it can honor the election for the current spouse. The current spouse may, therefore, receive a smaller annuity than elected, or none at all, unless the former spouse loses eligibility for the court-ordered survivor annuity (through remarriage before age 55 or death).

**Important:** If the current spouse consents to an election to provide no survivor annuity and is later divorced from the retired employee, the retired employee may not then elect (nor can OPM honor a court order) to provide a former spouse annuity for that spouse.

#### Privacy Act Statement

Solicitation of this information is authorized by the Federal Employees Retirement Law (Chapter 84, title 5, U.S. Code). The data furnished will be used to determine the type of annuity awarded. The information may be shared and is subject to verification, via paper, electronic media, or through the use of computer matching programs with national, state, local or other charitable or social security administrative agencies in orders to determine and issue benefits under their programs. It may also be shared and verified, as noted above, with law enforcement agencies when they are investigating a violation or potential violation of the civil or criminal law. Executive Order 9397 (November 22, 1943) authorizes use of the social security number. Furnishing the social security number, as well as other data, is voluntary, but failure to do so may delay or prevent action on the retirement application.